

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

MCALLEN GRACE BRETHREN
CHURCH, et al.,

Plaintiffs, Case No. 7:07-cv-60

v.

SALLY JEWELL, SECRETARY, UNITED
STATES DEPARTMENT OF THE
INTERIOR,¹

Defendant.

NOTICE REGARDING REMAND

Defendant, the Secretary of the United States Department of the Interior, Sally Jewell hereby advises the Court that the Department of the Interior will not be filing a motion to remand this case. After carefully reviewing this matter and in due consideration of the Fifth Circuit's recent decision, the Department of the Interior has decided to return the eagle feathers at issue in the case to Plaintiff Robert Soto. The Department of the Interior had planned to request remand; however, such a remand would have unnecessarily delayed the resolution of this matter. The immediate return of Plaintiff Soto's feathers serves the interest of justice and conserves the Court's and the Parties' resources by bringing this case to a resolution. Concurrently with this Notice, Defendant is filing a motion to dismiss this case as moot.

¹ Sally Jewell is automatically substituted as Defendant pursuant to Federal Rule of Civil Procedure 25(d).

Respectfully Submitted,

KENNETH MAGIDSON
UNITED STATES ATTORNEY

s/Jimmy A. Rodriguez
JIMMY A. RODRIGUEZ
Assistant United States Attorney
Southern District of Texas
Texas Bar No. 24037378
Federal ID No. 572175
1000 Louisiana, Suite 2300
Houston, Texas 77002
Tel: (713) 567-9532
Fax: (713) 718-3303
Attorney in Charge for Defendant

Certificate of Service

I hereby certify that a true and correct copy of the foregoing was served on all counsel of record via the Court's Electronic Case Filing System.

s/ Jimmy A. Rodriguez
JIMMY A. RODRIGUEZ
Assistant United States Attorney